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Kansas Territory

LAWS AND REGULATIONS

OF THE MINERS

OF THE GREGORY DIGGINGS DISTRICT.

At a meeting of the miners of Gregory diggings, on the north Fork of Clear creek, K. T., on the evening of the eighth instant, Wilk Defrees was elected president, and Joseph Casto secretary.

First—resolved that this mining district shall be bounded as follows: commencing at the mouth of the north fork of Clear creek, and following the divide between said stream and Ralston creek, running seven miles up the last named stream to a point known as Miners Camp, Thence South West on the divide between the north fork of Clear creek and the south branch of the same, to the place of beginning.

Second—resolved that no miner shall hold more than one claim except by purchase or discovery, and in case of purchase the same shall be attested by at least two disinterested witnesses, and shall be recorded by the Secretary, and the Secretary shall receive in compensation the fee of one dollar.

Third—resolved that no claim which has or may be made shall be good and valid, unless staked off with the owners' names, giving the direction, length, breadth, also the date when said claim was made; and when held by a company, the name of each member shall appear conspicuously.

Fourth—resolved that each miner shall be entitled to hold one mountain claim, one gulch claim and one creek claim, for the purpose of washing; the first to be 100 feet long and fifty feet wide, the second 100 feet up and down the river or gulch, and extending fifty feet.

Fifth—resolved that mountain claims shall be worked within 10 days from the time they are staked off, otherwise forfeited.

Sixth—resolved that when members of a company constituted of two or more, shall be at work on one claim of the company, the rest shall be considered as worked by putting a notice of the same on the claim.

Seventh—resolved that each discovery claim shall be marked as such, and shall be safely held whether worked or not.

Eighth—resolved that in all cases priority of claims, when honestly carried out, shall be respected.

Ninth—resolved that when two parties wishing to use water on the same stream or ravine, for quartz mining purposes, no person shall use more than one half of the water.

Passed [illegible] eight hundred and fifty-nine.

WILK DEFREES, President.
JAS. CASTO, Secretary.

Your Committee on the codification of the Laws of the District beg leave to report that they have examined the resolutions submitted to them since the printed copy was posted up, but find them so involved and, in many cases, so incompatible that they hereby report a NEW CODE which they recommend, should be passed, and that the original Code be retained, with these additions.

First—Resolved that for the settlement of differences, and for the purpose of preventing disputes, the miners of this District hereby enact: That there shall be elected in this District, by ballot, a President, a recorder of Claims, and a Sheriff, for the term of one year, from this date. That the President, Secretary, and one assistant, to be cho[illegible] the people, be tellers of said election, and that it take pl[illegible]ediately.

The above resolutions we[illegible]ed on the 9th day of July, one thousand eight hu[illegible] fifty nine, when Capt. Sopris was elected [illegible]; C. A. Roberts, recorder; and Charles Peck, Sheriff.

Second—It shall [illegible]y of the recorder to take charge of and safely keep, all [illegible] heretofore made by the Secretary, and all records made necessary by law, shall be made by him.

Third—All claims may be recorded if the owners see fit—but no claim which is being worked shall be obliged to be recorded.

Fourth—When any miner has a Lead claim which it is impossible to work to advantage this season, either for the want of water or machinery, he may hold the same until the first of June next, by filing a statement of the reasons with the recorder.

Fifth—All other claims not [illegible] shall be recorded within ten days, from the claim date, or they shall be considered forfeited.

Sixth—All Bills of Sale or Conveyances of Claims, shall be witnessed by at least two disinterested witnesses and recorded.

Seventh—The books of the recorder shall be always open to the inspection of the public, and shall never be taken from the recorder's hands; but any person shall be entitled to copy any record at any reasonable time.

Eighth—All Laws relating to trials of disputed claims, are hereby repealed.

Ninth—When any person is aggrieved in re[illegible] he shall file with any commissioned Justice of the [illegible] his absence, the President of the Miners' Associa[illegible] ment of his grounds of complaint, which shall [illegible] have the names of the parties complained of, and a prayer that they may be summoned to appear and answer. Thereupon the Justice (or President) shall issue a summons to the adverse party, to appear and answer, within three days. If he fail to do so, the complaint shall be taken as true and execution issued. If he appear and answer, the Justice [illegible] venire of nine persons, from which each party shall strike off one until there remain three, who shall proceed to hear the evidence of the parties, with or without counsel, and try the case. Any juror may be challenged for cause shown either by his own evidence, or the evidence of others.

Should the party loosing feel aggrieved by the decision, he may appeal to a jury of twelve men, by paying costs already accrued; which jury shall be selected by the Justice (or President), and their decision shall be final.

Tenth—The [illegible]riff shall have power to serve notices and executio[illegible]hall have power to summon parties; put parties [illegible] property, decided to be by law; summon jurors, a[illegible]vice as a Sheriff in any other place may do, and [illegible]tled to receive double the legal fees provided b[illegible]tes of Kansas.

Eleventh—[illegible]es of the recorder, shall be one dollar for each claim[illegible]

Twelfth—[illegible]tice (or President) shall be entitled to five dollars for [illegible] at each trial and making out the papers.

Thirteenth—[illegible] Jury shall be entitled to one dollar each per day.

Fourteenth—[illegible]feated party in each suit shall be liable for all costs of [illegible] and the Justice—or President—shall issue execution fo[illegible]me, which shall be collected from any property the perso[illegible]iable may have—excepting tools, bedding, clothing, and [illegible]ary provisions for three months.

Fifteenth—In any [illegible]either party may call upon the other to give security for cos[illegible]e suit shall be dismissed if plaintiff, or defeated, if defendan[illegible]

Sixteenth—Any pers[illegible] take up, by recording, forty feet front and one hundred [illegible] for a building, [illegible] secure the same against being used for mining if found rich.—Should any person work out the ground on which a house stands, he shall secure the house against damage.

Seventeenth—Any person or company intending to erect a quartz mill, may select a location two hundred and fifty feet square, which shall be recorded. He may also claim the right to cut a race from any river to bring water to the same, and shall hold the water, not interfering with any vested rights.

Eighteenth—The Preemption Laws established by the citizens of this county, shall be recognized in the mines, but shall not conflict with miners' rights.

Nineteenth—Gulch Claims shall be one hundred feet up and down and fifty feet wide, following the meanderings of the stream, and shall be worked within ten days if water can be obtained; if water is wanting, he may record the same and hold it until water can be obtained. Any time after the first of September, any miner may record his gulch claim and hold it till the first of June.

Twentieth—When any miner hold both a gulch and lead claim, if one be worked, the other may be held without working, by recording the same.

Twenty-first—When Water Companies are engaged in bringing water into any portion of the mines, they shall have the right of way secured to them, and may pass over any claim, road, or other ditch; but shall so guard themselves in passing, as not to injure the party over whose ground they pass.

Twenty-second—When any Company is formed for the purpose of tunneling for discovery, the parties engaged may stake off, record and place notices on the ground, two hundred and fifty feet each way from the tunnel, and running as the tunnel is intended to run; after that all [illegible]